


CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS					
<p>RICHARD O. AUDRAIN, JR.</p> <p>VS</p> <p>JAMES P. DAWSON, individually as Director of The State of Oklahoma Office of Community Affairs and Planning; C. D. PAYNE, C. HUBERT GRAGG, D. K. SWON, B. L. KLUTTS, H. E. RAINBOLT, ROBERT M. KERR, WILBUR G. WHITENECK, WILLIAM H. BELL, Individually as members of the State of Oklahoma State Highway Commission and Department of Highways, GAYLUND ADAMS, individually as chief Right of Way Division, State of Oklahoma Department of Highways, CHESTER BROOKS, Individually as Director State of Oklahoma Department of Highways, JOHN A. VOLPE, Secretary of Department of Transportation for the United States of America, E. A. SPARKS, Division Engineer Federal Highway Administration of Oklahoma, The STATE OF OKLAHOMA ex rel the STATE OF OKLAHOMA OFFICE OF PLANNING AND COMMUNITY AFFAIRS and THE STATE OF OKLAHOMA HIGHWAY COMMISSION and DEPARTMENT OF HIGHWAYS</p>		<p>For plaintiff:</p> <p>Andrew T. Dalton, Jr. 407 Thurston National Building Tulsa, Oklahoma 74103</p> <p>For defendant:</p> <p>Nathan G. Graham Robert P. Santee</p> <p>Larry Derryberry Attorney General Todd Markum, Asst Atty General State Capitol Building Oklahoma City, Oklahoma 73105 - for James P. Dawson</p> <p>Tom Keltner (other state officials) State of Okla. Dept. of Highways Jim Thorpe Bldg. Okla. City, Okla. 73105</p>					
STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.		
J.S. 5 mailed 5-1-72	Clerk						
J.S. 6 mailed 11-1-72	Marshal						
Basis of Action: Declaratory Judgment for benefits under Federal Highway Act of 1968, etc.	Docket fee						
Action arose at:	Witness fees						
	Depositions						

DATE	PROCEEDINGS	Date Order or Judgment Noted
4-24-72	Petition for removal from District Court of Tulsa County, Okla., filed. hm	
4-26-72	Acknowledgment of filing petition for removal to U.S. Dist. Court from Tulsa County, filed. r	
4-27-72	Notice of filing petition for removal to State of Okla., etc., filed. hm	
4-27-72	Notice of filing petition for removal to Atty. Gen., filed. hm	
4-27-72	Application of fed. defts. for enlargement of time within which to answer or otherwise plead, filed. hm (with brief in support)	
4-28-72	Order filed, that defendants, John A. Volpe, E. A. Sparks, have an extension of time to 6-1-72 to answer. (AEB-J) ds <i>attys notified</i>	
5-18-72	Motion of defendants, James P. Dawson, to dismiss, filed. ds	
5-18-72	Brief in support of defendant James P. Dawson's motion to dismiss, filed. ds	
5-18-72	Ordered by the court that plaintiff respond to defendant Dawson's motion to dismiss with a responsive brief within ten days of this date. (AEB-J) ds	
5-24-72	Plaintiff's brief opposing motion to dismiss, filed. ds	
5-31-72	Motion of def. John A. Volpe, Sec. of Dept. of Transp. and E. A. Sparks, Div. Eng., Fed. Highway Adm. of Okla., to dismiss, w/brief, filed. rm	
5-31-72	Ordered that pltf. is granted 10 days in which to respond to def.'s motion to dismiss. (AEB-J)rm - ltr written	
6-12-72	Brief of pltf. in opposition to def. Volpe's mo/dismiss, filed. rm	
6-13-72	Application of the Plaintiff for Default Judgment, filed. v	RE: 
6-13-72	Brief in Support of Application for Default Judgment, filed. v	
6-13-72	Ordered by the Court that Deft. is granted 10 days from this date to respond to Pltf.'s Appl. for Default Judgment. (AEB-J)rm need.	
	C. D. Payne, D. K. Swon, B. L. Klutts, H. E. Rainbolt, Robert M. Kerr, Wilber G. Whiteneck, William H. Bell, Chester Brooks and the State of Okla. ex rel The State of Okla. Highway Commission and Dept. of Highways.	
6-19-72	Response to application for default judgment, filed. hm	
6-19-72	Motion to dismiss of defts. Gaylund Adams, Chester Brooks & State of Okla., ex rel Dept. of Highways, filed. hm	
6-19-72	Motion to dismiss of defts. parties deft. as to defts. Payne, Gragg, Swon, Klutts, Rainbolt, Kerr, Whiteneck and Bell, filed. hm	
6-19-72	Ordered that pltf. file responsive brief to two motions to dismiss filed by defts. on 6-19-72. (AEB-J)hm	
6-26-72	Plaintiff's response to defendants' Highway Commissioners motion to dismiss, filed. g	
6-26-72	Plaintiff's response to defendants' Adams and Brooks motion to dismiss, filed. g	
7-31-72	Supplemental Brief of Plaintiff Opposing Deft.s Respective Motions to Dismiss, filed. v	
8-23-72	Ordered that Magistrate conduct hearing on motion to dismiss of James P. Dawson (deft), motion to dismiss of USA defts, motion to dismiss of defts. Adams, et al & motion to dismiss of defts. Payne, et al. (AEB-J)hm	
8-23-72	Hearing held on above-mentioned motions and rulings taken under advisement. Magistrate will inform parties of decisions within 30 days. (MLB-Mag)hm	
10-6-72	Stipulation and dismissal of action with prejudice, filed and entered. ds	
10-6-72	Stipulation and dismissal of action with prejudice, filed and entered. ds	
10-6-72	Stipulation and dismissal of action with prejudice, filed and entered. ds (The above stips cover all defendants in this cause).	